

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 KHALID MOHAMMAD,

5 Plaintiff,

6 v.

7 LAS VEGAS METROPOLITAN POLICE  
8 DEPARTMENT,

9 Defendant.  
10

Case No. 2:17-cv-02389-APG-NJK

**ORDER ON REPORT AND  
RECOMMENDATION**


(ECF. No. 3)

11 On September 19, 2017, Magistrate Judge Koppe entered a report and recommendation  
12 that I dismiss this case with prejudice because plaintiff Khalid Mohammad alleges nothing more  
13 than that he has was a pretrial detainee, despite this court advising him several times in other  
14 cases that his allegations were insufficient. ECF No. 3. Mohammad objects, arguing he was  
15 detained for eight months even though he was actually innocent and the charges were dropped.

16 I conducted a de novo review. 28 U.S.C. § 636(b)(1). Judge Koppe sets forth the proper  
17 legal analysis and factual basis for the decision. As Mohammad has been informed numerous  
18 times in other cases, the mere fact that he was a pretrial detainee who allegedly was innocent of  
19 the crime charged does not state a claim absent allegations that the defendants violated the  
20 Constitution or applicable statutory requirements. *Bell v. Wolfish*, 441 U.S. 520, 534 & n.15  
21 (1979). Mohammad makes no such allegations.

22 IT IS THEREFORE ORDERED that Judge Koppe's report and recommendation (ECF  
23 No. 3) is accepted. Plaintiff Khalid Mohammad's complaint is DISMISSED with prejudice.

24 DATED this 5th day of December, 2017.

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27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE